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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,105	07/09/2003	Steve John Kempinski	CHMP P-3605-2	1662
29318	7590	01/25/2006	EXAMINER KITOV, ZEEV	
JAMES D. STEVENS REISING, ETHINGTON, BARNES, KISSELLE, P.C. P.O. BOX 4390 TROY, MI 48099			ART UNIT 2836	PAPER NUMBER

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

ET

Office Action Summary	Application No.	Applicant(s)	
	10/616,105	KEMPINSKI, STEVE JOHN	
	Examiner	Art Unit	
	Zeev Kitov	2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 36, 40 - 43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 - 36 is/are allowed.
- 6) ☒ Claim(s) 40 - 43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Examiner acknowledges a submission of the amendment and arguments filed on October 13, 2005. Claims 37 – 39 are deleted; Claims 1, 18, 23, 27, 42 and 43 are amended. Amendments and Arguments have overcome some of the Amendment and arguments have overcome some of the rejections under 102 (b) and 103(a). Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.

Objection

Claim 43 is objected to due to a following phrase: "a connector disposed in said second opening and connected to said output of said discharge circuit". An element 80 in Fig. 3 and 4 is described in the Specification as an igniter socket, rather than real connector. For purpose of Examination, it was interpreted as the igniter socket.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 43 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over McNulty 720 in view of Straub (US 4,978,309). Regarding Claims 43 and 42,

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McNulty 720 discloses a housing (elements 27 and 27a in Fig. 8) connected to the low-energy electrical cable (elements 25, 25a in Fig. 8), wherein the electrical components of the discharge circuit are located within the housing (see elements 27, 27a in Fig. 1). The housing includes cylindrical metal cans (21 and 21a in Fig. 8) with bottom walls and the side-walls integral with the bottom walls. A discharge circuit located within the housing has inputs (on the left side) for receiving operating power via the first opening and an output (on the right side) for providing an ignition pulse via the second opening (84, 84a, 85, 85a) and openings covered by lids (closed lids shown on the top of the cans). It further discloses an igniter sockets (shown on the right side) surrounding the igniter conductors (84, 85, 84a, 85a in Fig. 8). It further discloses the first opening being located on a circumferential surface of the can (on the left side).

However, it does not disclose the second opening located on the lid. Straub discloses the second opening located on the lid (bottom of the cylinder 11 in Fig. 2). Both references have the same problem solving area, namely providing means for ignition of the aircraft engine. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the McNulty 720 solution by locating the igniter output at the bottom of the metal cylinder according to teachings of Straub, because such structure makes the discharge circuit and igniter easily removable if maintenance, test or repair of the ignition system is necessary.

Regarding Claim 40, McNulty 720 discloses the discharge circuit including an energy storage device (element 78, 78a in Fig.1) and a switching device (element 75,

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75a in Fig. 1) and other passive components sealed within the can (col. 11, lines 30 – 57). By definition, the passive components are the components lacking amplification.

Regarding Claim 41, Straub discloses the socket (19 in Fig. 2) connected to a terminal end of the igniter (21 in Fig. 2). A motivation for modification of the primary reference is the same as above.

Allowable Subject Matter

Claim 1 - 36 allowed. A reason for that is that all independent Claims 1, 18 and 27 include, inter alia, a limitation of the energy storage device located inside the discharge part of the system.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zeev Kitov whose current telephone number is (571) 272 - 2052. The examiner can normally be reached on 8:00 – 4:30. If attempts to reach examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571) 272 – 2800, Ext. 36. The fax phone number for organization where this application or proceedings is assigned is (571) 273-8300 for all communications.

Z.K.
1/11/2006



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